WP(C) 1795/2007
BEFORE
THE HON'BLE MR JUSTICE B.K. SHARMA

Heard Mr. S. Medhi, learned counsel for the petitioner as well as Mr. P. K. Roy, learned, learned Standing Counsel, FCI.

This writ petition has been filed making a grievance against the transfer of the petitioner from Guwahati to Dimapur upon his promotion as Assistant General Manager. According to the petitioner he is physically handicapped with 60% disability. Annexure-1 certificate dated 26.8.2004 depicts so. It is the further case of the petitioner that because of his disability constant attention of his wife is required and thus, it may not be possible on his part to move to Dimapur for performing his duty and stay alone.

Mr. P.K. Roy, learned Standing Counsel, was requested to obtain instruction, which he has since obtained. By letter dated 12.4.2007 addressed to him by Executive Director (NE), it is stated that the petitioner upon his joining at Dimapur would be retained there and shall not be sent anywhere else. It is the further case of the respondents that the petitioner might be able to perform his duties at Dimapur and that his case for transfer back to Guwahati will be considered at the appropriate stage as and when suitable substitute is available.

The petitioner is personally present in the Court and it cannot be said that the difficulties expressed by him, is ill founded. Considering the same and having regard to the circumstances expressed by letter dated 12.4.2007, I disposed of the writ petition with a direction to the respondents to take a pragmatic approach and to consider the case of the petitioner afresh. To facilitate the same, the petitioner may make appropriate representation before the competent authority, who in turn shall consider the same taking into account the physical condition of the petitioner.

In the event of making such representation by the petitioner within one week from today, the competent authority shall consider the case of the petitioner as expeditiously as possible preferably within 15 days thereafter. Till disposal of the representation, status quo as on today shall be maintained.

Writ petition is disposed of.